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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)	No. 16-CR-00371-VC
14)	
15 Plaintiff,)	
16 v.)	[PROPOSED] ORDER OF DETENTION PRIOR TO
17 DOUGLAS AVILES,)	TRIAL
18 Defendant.)	

19 The parties appeared before the Honorable Sallie Kim on September 7, 2016, for a detention
20 hearing. The defendant was present and represented by Assistant Federal Public Defender Geoffrey
21 Hansen. The government was represented by Assistant United States Attorney Jerome Mayer-Cantú.
22 The government moved for detention, submitting that no condition or combination of conditions of
23 release would reasonably assure the appearance of the defendant as required or the safety of the
24 community.

25 The Court has considered the parties' proffers during the hearing, the defendant's past conduct
26 and criminal record, the materials found during a search of the defendant's residence, the bail study, and
27 the factors set forth in 18 U.S.C. § 3142(g). For the reasons stated on the record at the hearing, including
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1 consideration of the history and characteristics of the defendant and the nature and seriousness of the
2 danger posed to the community should the defendant be released prior to trial, the Court finds by clear
3 and convincing evidence that no condition or combination of conditions will reasonably assure the
4 safety of any other person or the community if the defendant were released. The Court also finds by a
5 preponderance of the evidence that no condition or combination of conditions will reasonably assure the
6 defendant's appearance.

7 The Court therefore orders the defendant detained prior to trial in this matter. The defendant is
8 committed to the custody of the Attorney General or a designated representative for confinement in a
9 correctional facility. The defendant must be afforded a reasonable opportunity to consult privately with
10 counsel. On order of a court of the United States or on request of an attorney for the government, the
11 person in charge of the corrections facility must deliver the defendant to the United States Marshal for a
12 court appearance.

13 IT IS SO ORDERED.

14
15 DATED: September 9, 2016



HON. SALLIE KIM
United States Magistrate Judge